UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF GEORGIA GAINESVILLE DIVISION

GARY GAYLOR,	
an individual,)
Plaintiff, v.)) Case No.: 2:12-cv-00082-RWS
GREENBRIAR OF DAHLONEGA SHOPPING CENTER, INC.,)))
a Georgia Corporation,)
Defendant.)))

PLAINTIFF'S PRELIMINARY MOTION FOR REASONABLE ATTORNEYS' FEES AND RELATED EXPENSES

Plaintiff, Gary Gaylor ("Plaintiff"), brought the above-captioned action against Defendant pursuant to 42 U.S.C. § 12181 *et seq.* for violations of Title III of the Americans with Disabilities Act ("ADA"). As demonstrated by the Summary Judgment entered in favor of the Plaintiff on September 27, 2013, and such other orders entered by the Court in favor of Plaintiff during the pendency of this action, Plaintiff has achieved prevailing party status. Accordingly, Plaintiff seeks an award of reasonable attorneys' fees and related expenses of litigation and costs in accordance with 42 U.S.C. § 12205 of the ADA and the equitable powers

of the Court.

Pursuant to 42 U.S.C. § 12205, Fed. R. Civ. P. 54(d)(2), and Local Rule 54.2, Plaintiff hereby files his Preliminary Motion for Reasonable Attorneys' Fees and Related Expenses. The total of attorneys' fees and related expenses, as of October 10, 2013, is approximately \$114,822 (estimate of fees) and \$5,872.19 (expenses), for a total of \$120,694.19.

Pursuant to Local Rule 54.2, Plaintiff within thirty (30) days after filing this motion will file and serve a detailed specification and itemization of the requested award, with appropriate affidavits and other supporting evidence.

DATE: October 11, 2013 Respectfully submitted,

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Attorneys for Plaintiff

CERTIFICATE OF COMPLIANCE

Pursuant to Local Rule 7.1(D), I hereby certify that the foregoing has been prepared in compliance with Local Rule 5.1(b) in 14-point Times New Roman typeface.

s/ John A. Moore, Esq.

Georgia Bar Number: 519792 Attorney for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on October 11, 2013, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will automatically send email notification of such filing to the following attorneys of record:

G. Lee Welborn, Esq. Downey & Cleveland, LLP 288 Washington Avenue Marietta, Georgia 30060

s/ John A. Moore, Esq.

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